THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21473 OF 2005

DATED:3.10.2005

Between:

N.Govind Singh

…Petitioner

And

The Collector, Hyderabad District,

At Nampally and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21473 OF 2005

ORDER:

The petitioner claims to be in occupation of land admeasuring 80.00 Sq.mts in S.No.6, Block-J, Ward No.14, Ramdevguda, Hyderabad. Third respondent herein initiated proceedings under A.P.Land Encroachment Act, 1905 (for short, the Act) and served notice under Section 7 alleging that petitioner is in unauthorized occupation of the Government land and he was asked to show cause within a period of seven days. The petitioner submitted explanation to the notice under Section 7 of the Act. The third respondent considered the explanation and by proceedings dt.13.9.2005, held that the occupation of the petitioner is objectionable and

accordingly ordered eviction duly serving notice/order under Section 6 of the Act.

The learned counsel for the petitioner made various submissions. Having regard to Section 10 of the Act providing for effective, efficacious, speedy alternative remedy, this Court is not inclined to go into merits of the case. Liberty is given to the petitioner to prefer an appeal before second respondent within a period of ten days from the date of receipt of this order. So as to enable the petitioner to obtain appropriate orders to protect his possession pending appeal, there shall be interim stay of dispossession for a period of two weeks from today. The petitioner may obtain appropriate interim order from appellate authority.

The Writ Petition with the above directions is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

3.10.2005

bnr

Note:Dispatch copy of the order

by 4.10.2005.

(B.O)

bnr